

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

BILLY W. TRILLET,

Plaintiff,

v.

NURSE BURK, et al.,

Defendants.

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CIVIL ACTION NO. 3:05-CV-694-F

**ORDER**

On August 26, 2005, this court entered an order, a copy of which the Clerk mailed to the plaintiff. This order could not be delivered because the plaintiff was no longer at the address he had provided for service. In the order of procedure entered in this case, the court instructed the plaintiff that he must immediately inform the court of any new address. *See Order of August 3, 2005 - Court Document No. 4* at 5. It is clear from the foregoing that the plaintiff has failed to comply with this requirement. This case cannot properly proceed in this court if the whereabouts of the plaintiff remain unknown. Accordingly, it is

ORDERED that:

1. On or before September 26, 2005, the plaintiff shall show cause why this case should not be dismissed for his failure to comply with the orders of this court and his failure to adequately prosecute this action.

2. The time allowed the defendants for filing their special report be and is hereby STAYED until further order of this court.

The plaintiff is specifically cautioned that if he fails to respond to this order the Magistrate Judge will recommend that this case be dismissed.

Done, this 15th day of September, 2005.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE